

REMARKS

Claims 1 and 12 are amended. Claim 19 has been added. Claims 1-19 are pending and are presented for reconsideration.

Prior Art Rejections

Claims 1-18 are rejected under 35 U.S.C. § 103(a) based on the following three references: U.S. Patent No. 6,126,196 (hereafter “Zimmerman”); JP 9-142239 (hereafter “Shinichi”); and U.S. Patent No. 5,556,128 (hereafter “Sinnhuber”). This rejection is respectfully traversed because the references (alone or in combination) fail to disclose, teach, or suggest the claimed invention.

For example, neither Zimmerman nor Shinichi disclose a gas bag for an airbag module for protecting a vehicle occupant that includes a gas bag envelope, “at least one initially closed closable outflow and/or overflow orifice in the gas bag envelope...wherein the at least one outflow and/or overflow orifice is disposed on a part of the gas envelope that is adapted to slip into the gas bag envelope when the predetermined state of deployment of the gas bag is reached” as called for in claim 1.

Zimmerman discloses an airbag module that includes airbag with a tube 50 with an air outlet opening 40 on the end of the tube 50. See Zimmerman at col. 3, lines 11-17. Zimmerman discloses that “[t]he tube 50 is turned towards the inside in the ready-to-operate condition of the air bag” and the tube 50 is turned to the outside after activation of the air bag module. (See Zimmerman at col. 3, lines 11-17). Thus, Zimmerman does not disclose, teach, or suggest an airbag module “wherein the at least one outflow and/or overflow orifice is disposed on a part of the gas envelope that is adapted to slip into the gas bag envelope when the predetermined state of deployment of the gas bag is reached”, as recited in claim 1.

Shinichi discloses an air bag 2 with a tether 3 that covers vent holes 4, 5 until the tether 3 is pulled from the openings of the vent holes 4, 5 when the air bag 2 inflates. (See abstract of Shinichi and Figures 1-8). However, the vent holes 4, 5 are not located on a part of the gas bag envelope that is adapted to slip inside of the airbag. The vent holes 4, 5 are located on the outer surface of the air bag 2 on a portion of the air bag 2 that is not adapted to

slip into the airbag when the air bag 2 inflates. Therefore, Shinichi does not disclose, teach, or suggest an airbag module “wherein the at least one outflow and/or overflow orifice is disposed on a part of the gas envelope that is adapted to slip into the gas bag envelope when the predetermined state of deployment of the gas bag is reached”, as recited in claim 1.

Sinnhuber fails to cure the deficiencies of Zimmerman and Shinichi.

Reconsideration of withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2 -18 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained in these dependent claims.

New Claim 19

New claim 19 is not disclosed, taught or suggested in the cited references. For example, none of the cited references disclose, teach or suggest a gas bag envelope including an orifice located on a portion “adapted to be moved into the interior of the gas bag envelope during inflation.” Allowance of Claim 19 is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R.
§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 1, 2005

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5582
Facsimile: (202) 672-5399

Howard N. Shipley
Registration No. 39,370
Attorney for Applicants